

**ORDINANCE 2002-02
(SUPERCEDES ORDINANCE 1997-01)**

COUNTY ROAD SPEED LIMITS

WHEREAS, the Board of Commissioners is authorized pursuant to 7-5-103, 7-5-107, 7-14-2113, 61-8-306 and 61-8-310, MCA, to adopt an ordinance and to impose speed limits on certain public roads and highways; and

WHEREAS, the Board of Commissioners of Jefferson County has determined that all speed limits imposed be codified into a single ordinance;

NOW, THEREFORE BE IT RESOLVED, that effective thirty (30) days after the final adoption, the following Ordinance shall be in full force and effect in Jefferson County:

**SECTION ONE: SPEED LIMITS WITHIN DEVELOPED SUBDIVISIONS,
UNINCORPORATED TOWNS, AND RESIDENCES OR BUSINESSES LOCATED
WITHIN ONE-HUNDRED (100) FEET OF ANY PUBLIC ROAD:**

All County Roads within developed subdivisions and in unincorporated towns (i.e. Basin, Jefferson City, Clancy, Montana City, Cardwell, etc.) will be deemed to be twenty-five miles per hour (25 MPH), unless listed differently in this Ordinance and posted. All County Roads for three-hundred (300) feet on either side of a residence or business, constructed before January 1, 1997, located within one-hundred (100) feet of any County Road at the request of the owner may be set at twenty-five miles per hour (25 MPH), unless listed differently in this Ordinance and posted.

SECTION TWO: SPEED LIMITS ON NAMED ROADWAYS

The following speed limits are hereby imposed on the following roadways in Jefferson County:

FIFTEEN (15) MILES PER HOUR

300 Feet Both Sides of the Cargill Ranch on Cedar Hills Road

Signed Portion of Old Alhambra Road

TWENTY FIVE (25) MILES PER HOUR

Paul Gulch Road from Yellowstone Trail to Robbins Lane

Hill Brothers Road

Kountz Road from Whitehall City limits to Pipestone Creek culvert

Jackson Creek Road from Hwy 282 to fire hall

Sheep Camp Road

Johns Street

Edwards Addition

McClellan Creek Road from Hwy 518 to Prickly Pear Creek

Microwave Hill Road

Saddle Mountain Road

Legal Tender Lane

Chokecherry Lane

First Road

Basin Creek Road

Sugar Beet Row

Yellowstone Trail

Sawmill Gulch Road (Elk Park)

North Whitetail Road to Little Boulder Junction

McKeown Lane from Tebay Lane to Highway 359

THIRTY FIVE (35) MILES PER HOUR

Jackson Creek Road from the old County gravel pit northwest

Homestead Estates Road

Tebay Lane

Forcella Road

Morman Lane

Paul Gulch Road from Robbins Lane north

Parrot Castle Road

Piedmont Road

Little Boulder Road from Whitetail Junction to Patty's Lane
Cedar Hills Road
Spackman Road
Pipestone Road
Hot Springs Road
Meridian Road
KG Ranch Road
Jefferson River Road from Highway 287 to Williams Bridge

FORTY (40) MILES PER HOUR

Lump Gulch Road from Cut-Off Junction to the end of the pavement
Lower Valley Road
Clancy Cut-Off Road from North Main to Lump Gulch Road
Upper Valley Road
McClellan Creek Road from Prickly Pear Creek to the end of the pavement
Lowlands Road (Elk Park)

FORTY FIVE (45) MILES PER HOUR

Jackson Creek Road from the fire hall to the old County gravel pit
Kountz Road from Pipestone Creek Culvert south
Muskrat Lane from Boulder to Upper Valley Road
Corbin Road

SECTION THREE: SCHOOL ZONE LIMITS ON HIGHWAY § 61-8-310(1), MCA

School zone speed limits, which shall be fifteen (15) miles per hour for three-hundred (300) feet on each side of a school, or cross walk across a public highway or roadway, are hereby imposed adjacent to the following listed schools on the following listed roadways during the hours of 7:00 AM through 5:00 PM:

Montana City Elementary School

McClellan Creek Road

Clancy Elementary School

Main Street, Clancy

Clancy Creek Road

Basin Elementary School

Basin Creek Road

SECTION FOUR: VIOLATION OF ORDINANCE - PENALTY § 61-8-711, MCA

(1) It is a misdemeanor for any person to violate any of the speed limits set forth in this Ordinance.

(2) Each person convicted of a violation of any of the provisions of this Ordinance shall for a first conviction thereof, be punished by a fine of not less than ten dollars (\$10.00). For a second conviction within on (1) year after the first conviction, the person shall be punished by a fine of not less than twenty-five dollars (\$25.00) or more than two hundred dollars (\$200.00). Upon a third or subsequent conviction within one (1) year of the first conviction, the person shall be punished by a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00).

(a) For failure to appear or post bail on the Notice to Appear or Complaint, the Court may issue a summons to appear stating the date and time of appearance or issue a warrant of arrest for the defendant.

(3) Failure to pay a fine imposed under this Ordinance is a civil contempt of the court. On failure of payment of a fine, the court may order enforcement of the fine by execution in the manner provided by law or; if the Court finds that the person is unable to pay, the defendant may be ordered to perform community service.

(4) Upon conviction, the court costs or any part of the court costs may be assessed against the defendant in the discretion of the court.

(5) The defendant will be assessed for all mandatory Court surcharges.

SECTION FIVE: SIGNAGE

The Jefferson County Road Department shall install and maintain speed limit and other appropriate signs in accordance with this Ordinance.

SECTION SIX: SEVERABILITY

The provisions of this Ordinance are severable. If any provision(s) of this Ordinance is found to be invalid, such invalidity does not effect other provisions which are otherwise enforceable. First reading, March 21, 2002. Second reading, April 3, 2002.

SECTION SEVEN: EFFECTIVE

- A. This ordinance shall take effect thirty (30) days after its 2nd Reading and Approval.
- B. The Jefferson County Clerk and Recorder shall post a copy of this ordinance, and shall make copies available to the public upon 1st Reading and Approval of this ordinance.

Passed and adopted this 3rd day of April, 2002.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

SHERRY CARGILL, CHAIR

TOMAS E. LYTHGOE, COMMISSIONER

SAM SAMSON, COMMISSIONER